Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

## APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT



Filing Fee Must Accompany the Application (Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

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12:53 KS DEPT OF AGRICULTURE
)yahoo.com
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or the feedlot.
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The proposed poin	t(s) of diversion	n (is) (are) N/A				
7.10	.(0)	· · (ic) (a.c)		(Provide description and numb	per of points)	
List all presently a	authorized po	int(s) of diversion:			AND DESCRIPTION	
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				Quarter of the		
				South, Range		
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		Proposed Quantity				
This point is:  A	dditional Well	☐ Geo Center List	other water right	s that will use this point	33161	
Presently authorize	zed point of di	iversion:				
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				South, Range		
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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARYD

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. N/A

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15. It is requested that the maximum rate of diversion of water be reduced to N/A gallons per minute (— c.f.s. 16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, sca 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrenc Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of u should also be shown. Identify the center of the section, the section lines and the section corners and show the appropria section, township, and range numbers on the map. In addition the following information must also be shown on the map.  a. If a change in the location of the point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown Paragraph Nos. 9, 10 and 11 of the application.  2) If the source of supply is groundwater, please show the location of existing water wells of any kind, includin domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name an amailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.  3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstrea and ½ mile upstream from your property lines must be shown.  b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please I certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application to show the change(s) proposed herein will not impair existing water rights and relates to the san local source of supply as to which the water right relates. This information may include st				File No. <u>566-05</u>
A new application has been filed to provide additional water for the flaking mill that is part of the feedlot operations. The additional water from this application will keep consumptive use from going up under the existing permits.  However, the change in place of use to add the mill is needed whether the new application is approved or not. If this scenario comes true, this question will need to be readdressed. (Please show any calculations here.)  14. It is requested that the maximum annual quantity of water be reduced to N/A gallons per minute (— c.f.s. 12.4,00). a gallons per minute (— c.f.s. 12.4,00). is available through the Kansas Geological Survey, 1930. Constant Avenue. University of Kansas, Lawren Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion bisolates be shown. Identify the center of the section, the section lines and the section corners and show the appropria section, township, and range numbers on the map. In addition the following information must also be shown on the map. a. If a change in the location of the point(s) of diversion is proposed, show:  1) The location of the proposed point(s) of diversion is proposed, show:  1) The location of the proposed point(s) of diversion is proposed, show:  2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including address of the property owner or owners. If there are no wells within ½ mile, please indicates on the map. and "mile upstream from your property lines must be shown. Paragraph Nos. 9, 10 and 11 of the application.  2) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstrea and ½ mile upstream from your property lines must be shown.  3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstrea and ½ mile upstream from your property lines must be shown.  4) If a change in the place of use is desired, show the proposed	12.	The pre	esently authorized use of water is for Stockwater	purposes.
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No waivers should be needed.		identify request	the rules and regulations for which you request a waiver. State the should be granted. Attach documentation showing that granting the re	reason why a waiver is needed and why the
		No wai	vers should be needed.	

WATER RESOURCES
RECEIVED
IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY
AUG 2 5 2016

File No.	588-05	
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Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

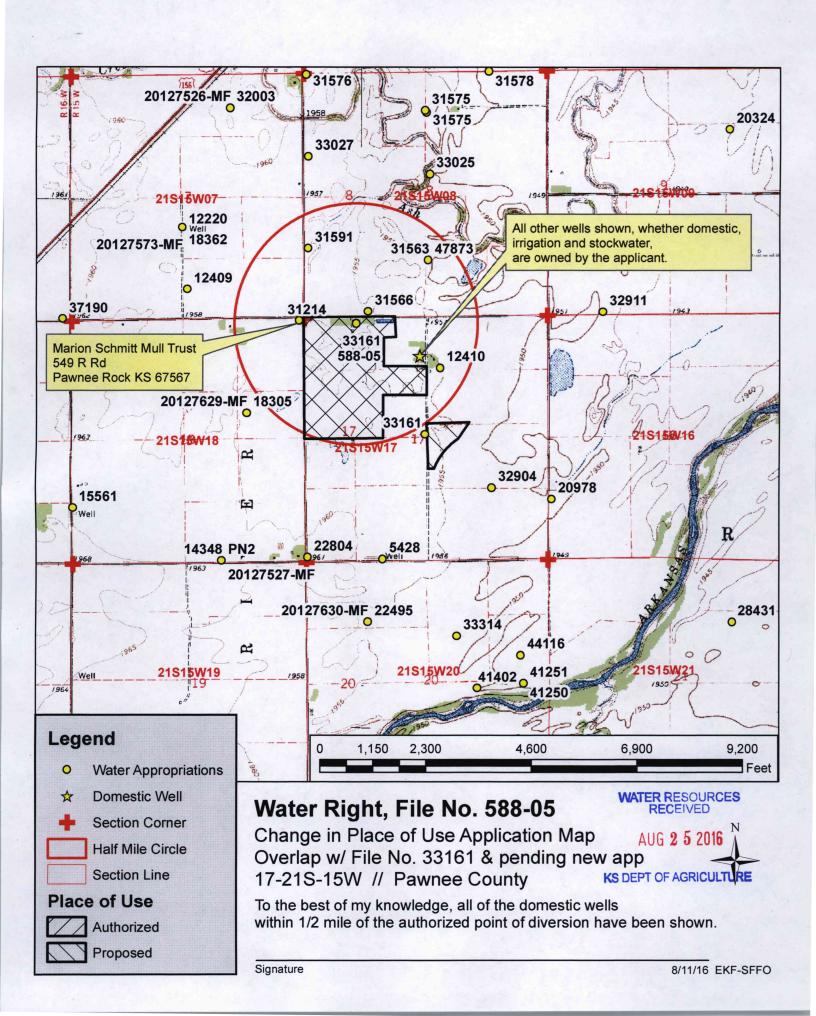
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

Dated at <u>Pawnee Rock</u> , Kansas, this _	16 day of August , 20 16
Zardi aham an)	
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Paunce	
I hereby certify that the foregoing application was signed in the property of	nyth / C
My Commission Expires	Notary Public
FEE SCHEDU	E .
Each application to change the place of use, the point of diversion or the use application fee set forth in the schedule below:	made of the water under this section shall be accompanied by the
<ul> <li>(1) Application to change a point of diversion 300 feet or less</li></ul>	\$200

Make check payable to Kansas Department of Agriculture.

WATER RESOURCES RECEIVED

AUG 2 5 2016



1320 Research Park Drive Manhattan, Kansas 66502 (785) 564-6700



900 SW Jackson, Room 456 Topeka, Kansas 66612 (785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 15, 2016

RICK STIMTZE 549 R RD PAWNEE ROCK , KS 67567

FILE COPY

RE: File No. 588

Dear Sir or Madam:

An application for approval	of the Chief	Engineer t	o change the	following	condition of	or conditions	of the file	number
referred to above has been receive	d:							

☐ place of use PU ☐ point of diversion ☐ use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A Turney, L.G.

Change Applications Unit Supervisor

Water Appropriation Program

BAT: DLW

pc: STAFFORD Field Office GMD 5 5